



Sen. Andy Manar

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1 AMENDMENT TO SENATE BILL 667

2 AMENDMENT NO. _____. Amend Senate Bill 667 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Findings. The General Assembly finds and
5 declares that:

6 (1) Diabetes affects approximately 1,300,000 adults in
7 Illinois (12.5% of the population);

8 (2) Diabetes is the seventh leading cause of death
9 nationally and in Illinois;

10 (3) The toll on the Illinois economy has increased by
11 more than 40% since 2007, costing the State
12 \$245,000,000,000 in 2012;

13 (4) When someone has diabetes, the body either does not
14 make enough insulin or is unable to use its own insulin,
15 causing glucose levels to rise higher than normal in the
16 blood;

17 (5) For people with Type 1 diabetes, near-constant

1 self-management of glucose levels is essential to prevent
2 life-threatening complications;

3 (6) From 2012 to 2016, the average price of insulin
4 increased from 13 cents per unit to 25 cents per unit;
5 therefore,

6 It is necessary for the State to enact laws to reduce the
7 costs for Illinoisans with diabetes and increase their access
8 to life-saving and life-sustaining insulin.

9 Section 5. The Attorney General Act is amended by adding
10 Section 10 as follows:

11 (15 ILCS 205/10 new)

12 Sec. 10. Investigation of prescription insulin drug
13 pricing; report.

14 (a) The Attorney General shall investigate pricing of
15 prescription insulin drugs made available to Illinois
16 consumers to ensure adequate consumer protections in the
17 pricing of prescription insulin drugs and to determine whether
18 additional consumer protections are needed.

19 (b) As part of the investigation, the Attorney General
20 shall gather, compile, and analyze information concerning the
21 organization, business practices, pricing information, data,
22 reports, or other information that the Attorney General finds
23 necessary to fulfill the requirements of this Section from
24 companies engaged in the manufacture or sale of prescription

1 insulin drugs.

2 If necessary to fulfill the reporting requirements of this
3 Section, the Attorney General may issue a civil investigative
4 demand requiring a State Agency, insurer, pharmacy benefit
5 manager, or manufacturer of prescription insulin drugs that are
6 made available in Illinois to furnish material, answers, data,
7 or other relevant information.

8 (c) A person or business shall not be compelled to provide
9 trade secrets.

10 (d) By November 1, 2020, the Attorney General shall issue
11 and make available to the public a report detailing the
12 findings from the investigation conducted pursuant to this
13 Section. The Attorney General shall present the report to the
14 Governor, the Department of Insurance, and the Judiciary
15 Committees of the Senate and House of Representatives or their
16 successor Committees. The report must include the following:

17 (1) a summary of insulin pricing practices and
18 variables that contribute to pricing of health coverage
19 plans;

20 (2) public policy recommendations to control and
21 prevent overpricing of prescription insulin drugs made
22 available to Illinois consumers;

23 (3) any recommendations for improvements to the
24 Consumer Fraud and Deceptive Business Practices Act; and

25 (4) any other information the Attorney General finds
26 necessary.

1 (e) This Section is repealed on December 1, 2020.

2 Section 10. The Illinois Insurance Code is amended by
3 adding Section 356z.33 as follows:

4 (215 ILCS 5/356z.33 new)

5 Sec. 356z.33. Cost sharing in prescription insulin drugs;
6 limits; confidentiality of rebate information; definition;
7 rules.

8 (a) As used in this Section, "prescription insulin drug"
9 means a prescription drug that contains insulin and is used to
10 treat diabetes.

11 (b) An insurer that provides coverage for prescription
12 insulin drugs pursuant to the terms of a health coverage plan
13 the insurer offers shall limit the total amount that an insured
14 is required to pay for a covered prescription insulin drug at
15 an amount not to exceed \$100 per 30-day supply of insulin,
16 regardless of the amount or type of insulin needed to fill the
17 insured's prescription.

18 (c) Nothing in this Section prevents an insurer from
19 reducing an insured's cost sharing by an amount greater than
20 the amount specified in subsection (b).

21 (d) The Director may use any of the Director's enforcement
22 powers to obtain an insurer's compliance with this Section.

23 (e) The Department may adopt rules as necessary to
24 implement and administer this Section and to align it with

1 federal requirements.".